

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Mullen

Serial No.: Not yet assigned

Filed: Herewith

Atty. File No.: 4366-161

For: METHOD AND APPARATUS FOR
FORECASTING AGENT ARRIVAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

) Group Art Unit:

)

) Examiner:

)

) REQUEST FOR NON-PUBLICATION AND
CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

) "EXPRESS MAIL" MAILING LABEL NUMBER: EL 975242209 US
DATE OF DEPOSIT: 3/29/04

)
I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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PATENTS, WASHINGTON, D.C. 20231.

TYPED OR PRINTED NAME: Christine Jacquet

SIGNATURE: Christine Jacquet

Dear Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C.122(b).

Applicant understands that this request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application upon filing. Applicant also understands that they may rescind this nonpublication request at any time. If Applicant rescinds a request that an application not be published under U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed. If Applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the Applicant understands that they must notify the U.S. Patent Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

Respectfully submitted,

SHERIDAN ROSS P.C.

By:

Douglas V. Swartz
Registration No. 37,739
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: March 29, 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit:
)	
Mullen)	Examiner:
)	
Serial No.: Not yet assigned)	<u>INFORMATION DISCLOSURE STATEMENT</u>
)	
Filed: Herewith)	
)	
Atty. File No.: 4366-161)	
)	
For: METHOD AND APPARATUS FOR FORECASTING AGENT ARRIVAL)	
)	
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		

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1450, ALEXANDRIA, VA 22313-1450.

TYPED OR PRINTED NAME: Christine Jacquet

SIGNATURE: Christine Jacquet

Dear Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited non-patent and/or foreign references are enclosed herewith.
 Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with the waiver dated July 11, 2003, whereby patent applications filed after June 30, 2003 and international applications that have entered the national stage under 35 U.S.C. § 371 after June 30, 2003 need not submit copies of U.S. patents and U.S. patent application publications.

To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.
 Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. _____ filed _____

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or <input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or <input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Avaya Inc. Deposit Account 50-1602.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ol style="list-style-type: none"> (1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, or (3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Avaya Inc. Deposit Account 50-1602. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <input type="checkbox"/> Please charge Avaya Inc. Deposit Account 50-1602 in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Avaya Inc. Deposit Account 50-1602.
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <ul style="list-style-type: none"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Please charge Avaya Inc. Deposit Account 50-1602 in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Avaya Inc. Deposit Account 50-1602. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

The undersigned certifies that:

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

A copy of the communication from the foreign patent office is enclosed.

OR

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Douglas W. Swartz

Douglas W. Swartz
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1560 Broadway, Suite 1200
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(303) 863-9700

Date: March 29, 2004

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY, DOCKET NO. 4366-161	SERIAL NO. Not yet assigned
	APPLICANT Mullen		
	FILING DATE Herewith	GROUP ART	

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
AA		5,214,688	5/25/93	Szlam et al.	379	67	6/5/90
AB		US 2003/0185378 A1	10/2/03	Mullen	379	265.01	3/29/02
AC		US 2003/0018762 A1	1/23/03	Mullen	709	223	6/1/01

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	AD							
	AE							

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

AF	
AG	
AH	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	